

86th Legislative Session – 2011

Committee: Senate Education

Tuesday, February 22, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Bradford
P Gray
P Kraus
P Rave
P Schlekeway
P Johnston, Vice-Chair
P Garnos, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Cooper Garnos, Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 17, 2011

Moved by: Rave
Second by: Johnston
Action: Prevailed by voice vote.

SB 149: establish policies for youth athletes with concussions resulting from participation in youth athletic activities.

Presented by: Senator Todd Schlekeway
Proponents: Lindsey Riter-Rapp, High School Activities, Assn. (Handouts: 1,2,3,4,5)
Lorin Pankratz, Sanford Health (Handouts: 6,7,8,9,10)
Michael Bergeron, Sanford Health, Sioux Falls (Handouts: 11)
Verle Valentine, MD, Sanford Health, Sioux Falls
Christopher Dietrich, MD, Rapid City Concussion Project
Greg Powell, Self, Chamberlain
Brianna Sudenga, self, Sioux Falls
Jeremiah M Murphy, SD Athletic Trainers Assoc.

David Hewett, SD Association of Healthcare Organizations
Dean Krogman, SD State Medical Association
Brittany Novotny, SD Nurses Association
Opponents: Paul Bachand, SD Amateur Hockey Assoc. (Handouts: 12)
Melody Schopp, Department of Education
Yvonne Taylor, SD Municipal League
Greg Dean, self, Pierre
Bill Van Camp, self, Pierre
Shawn Lyons, self, Pierre

Wayne Carney, SDHSAA called by Chair for clarification on certain points.

MOTION: AMEND SB 149

149jd

On page 4, line 21, of the printed bill, delete "free of charge, except for".

On page 4, line 22, delete "reimbursement of expenses,".

On page 4, line 22, delete "a sports team that is" and insert "any youth athletic activity sponsored by a city, business, or nonprofit organization".

On page 4, line 23, delete everything before "is".

On page 5, line 8, before "." insert ", or any youth athletic activity sponsored by a city, business, or nonprofit organization".

Moved by: Rave
Second by: Johnston
Action: Prevailed by voice vote.

MOTION: AMEND SB 149

149ta

On page 3 of the printed bill, delete lines 8 to 24, inclusive.

On page 4, delete lines 1 to 14, inclusive.

On page 4, delete lines 19 to 24, inclusive.

On page 5, delete lines 1 to 8, inclusive.

Moved by: Gray
Second by: Kraus
Action: Failed by roll call vote. (3-4-0-0)

Voting Yes: Gray, Kraus, Garnos

Voting No: Bradford, Rave, Schlekeway, Johnston

MOTION: DEFER SB 149 TO THE 41ST LEGISLATIVE DAY

Moved by: Kraus
Second by: Bradford
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS SB 149 AS AMENDED

Moved by: Schlekeway
Second by: Rave
Action: Failed by roll call vote. (3-4-0-0)

Voting Yes: Rave, Schlekeway, Johnston

Voting No: Bradford, Gray, Kraus, Garnos

MOTION: DEFER SB 149 TO THE 41ST LEGISLATIVE DAY

Moved by: Kraus
Second by: Bradford
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 149

149ca

On page 3 of the printed bill, delete lines 8 to 24, inclusive, and insert:

"

Section 5. For the purposes of this Act, a licensed health care provider is a person who is:

- (1) Registered, certified, licensed, or otherwise recognized in law by the State of South Dakota to provide medical treatment; and
- (2) Trained and experienced in the evaluation, management, and care of concussions."

Delete pages 4 and 5, inclusive

Moved by: Schlekeway
Second by: Garnos
Action: Prevailed by voice vote.

MOTION: DO PASS SB 149 AS AMENDED

Moved by: Schlekeway
Second by: Rave
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Gray, Kraus, Rave, Schlekeway, Johnston, Garnos

Voting No: Bradford

SB 133: enhance education and to make an appropriation therefor.

Presented by: Senator Cooper Garnos
Proponents: Shayne McIntosh, Superintendent, Parkston (Handouts: 13)
John Pedersen, School Administrator of South Dakota
Sandra Waltman, SD Education Association
Charlie Flowers, SD Coalition of Schools
Wayne Lueders, Associated School Boards of SD
Opponents: Colin Keeler, Bureau of Finance and Management

MOTION: AMEND SB 133

133ca

On the printed bill, delete everything after the enacting clause and insert:

"

Section 1. That § 13-13-74 be amended to read as follows:

13-13-74. Except as provided in § 13-13-39, payment from funds provided in aid of the public schools in any school fiscal year shall be made in ~~twelve~~ monthly installments on ~~or about~~ the ~~thirtieth~~ first of each month, or the first working day thereafter. For the period July first to December thirty-first, inclusive, the total of the six payments shall be one-half of local need of current school fiscal year less local effort for the period July first to December thirty-first, inclusive. For the period January first to June thirtieth, inclusive, the total of the six payments shall be one-half of local need of current school fiscal year less local effort for the period January first to June thirtieth, inclusive.

Section 2. Notwithstanding the provisions of § 13-13-74, payment from funds appropriated for state aid to general education pursuant to chapter 13-13 for the period of July 1, 2011 to December 31, 2011, inclusive, shall be made in five monthly installments beginning on August 1, 2011. The total of the five payments shall be calculated by the secretary of education to account for the change in the monthly payment date pursuant to section 1 of this Act.

Section 3. The amount of money appropriated for state aid to general education for school fiscal year 2012 that, as a result of the change in the monthly payment date pursuant to section 1 of this Act, is in excess of the amount of money necessary to meet the entitlement provided for in chapter 13-13, and to meet any shortfall pursuant to subdivision 13-13-73(4) is not subject to reversion pursuant to § 4-8-19. Instead, the excess money shall be distributed in school fiscal year 2012 to all school districts receiving state aid pursuant to chapter 13-13 on a pro rata basis according to each eligible school district's fall enrollment compared to the total fall enrollment of all eligible school districts.

Section 4. The provisions of this Act are effective on July 2, 2011."

Moved by: Garnos
Second by: Bradford
Action: Prevailed by voice vote.

MOTION: DO PASS SB 133 AS AMENDED

Moved by: Schlekeway
Second by: Bradford
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Bradford, Gray, Rave, Schlekeway, Johnston, Garnos

Voting No: Kraus

MOTION: AMEND TITLE OF SB 133

133cta

On page 1, line 1, of the printed bill, delete everything after "An Act to" and insert "change the day of the month on which state aid to general education payments are made to school districts, and to provide for the redistribution of certain funds appropriated for state aid to education.".

Moved by: Rave
Second by: Schlekeway
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Rave
Second by: Schlekeway
Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Cooper Garnos, Chair